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BEFORE THE ARIZONA CORPORATION COMMISSION

AZ CORP COMMISSION

DOCKET CONTROL

COMMISSIONERS

2016 MAY 4 AM 11 17

DOUG LITTLE - Chairman
BOB STUMP
BOB BURNS
TOM FORESE
ANDY TOBIN

In the matter of:

USA BARCELONA REALTY ADVISORS,
LLC, an Arizona limited liability company,

USA BARCELONA HOTEL LAND COMPANY
I, LLC, an Arizona limited liability company,

RICHARD C. HARKINS, an unmarried man,

ROBERT J. KERRIGAN (CRD no. 268516) an
unmarried man,

GEORGE T. SIMMONS and JANET B.
SIMMONS, husband and wife,

BRUCE L. ORR and SUSAN S. ORR, husband
and wife,

Respondents.

DOCKET NO. S-20938A-15-0308

**SECURITIES DIVISION'S OPPOSITION
TO BRUCE ORR'S MOTION TO
SUSPEND HEARING MAY 11, 2016
AFTERNOON THROUGH MAY 13, 2016**

Arizona Corporation Commission

DOCKETED

MAY 04 2016

DOCKETED BY

ph

The Securities Division ("Division") respectfully requests that Respondent Bruce Orr's ("Respondent") Motion to Suspend Hearing May 11, 2016 Afternoon through May 13, 2016 be denied.

Under A.A.C. R14-3-103(Q), a matter may be continued upon a showing of good cause, but Respondent has not shown good cause for the delay he requests. The upcoming hearing dates have been set since the December 30, 2015, Fourth Procedural Order, which ordered that "... the parties shall also reserve May 10-13 ... for additional days of hearing...." The requested delay would significantly inconvenience the Division because it conflicts with the Division's planned witness

1 presentations and would create a large gap of time in the middle of the presentation of its case.
2 However, despite the inconvenience this delay would cause, Respondent has not represented that he
3 has even requested an accommodation from the Rohnert Park Planning Commission to reschedule the
4 meetings he would like to attend. That lack of effort despite the effect of his request does not show
5 good cause to continue the hearing dates.

6 Additionally, Respondent has not explained why he would be unavailable on the afternoon of
7 Wednesday May 11, 2016, and all day on Friday May 13, 2016. Respondent states that his meetings
8 are on Thursday May 12, 2016, in Rohnert Park, CA, which is only 50 miles from San Francisco, CA.
9 Respondent should be able to take the two hour flight from Phoenix to San Francisco on the evening
10 of Wednesday May 11, 2016 after the hearing and drive to Rohnert Park that evening. Similarly, after
11 his meetings on Thursday, May 12, 2016, Respondent should be able to drive 50 miles back to San
12 Francisco and fly to Phoenix that evening to be available for the hearing the next day.

14 However, because Respondent has not shown good cause for continuing even the May 12,
15 2016, hearing date, his motion should be denied in its entirety.

16 RESPECTFULLY SUBMITTED this 4th day of May, 2016.

20 ARIZONA CORPORATION COMMISSION

21 By:  _____

22 Paul Kitchin
23 Attorney for the Securities Division of the
24 Arizona Corporation Commission
25
26

1 ORIGINAL AND SIX (6) COPIES of the foregoing
2 filed this 4th day of May, 2016, with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 W. Washington St.
6 Phoenix, AZ 85007

7 COPY of the foregoing hand delivered
8 this 4th day of May, 2016, to:

9 Mark Preny
10 Administrative Law Judge
11 Arizona Corporation Commission/Hearing Division
12 1200 W. Washington St.
13 Phoenix, AZ 85007

14 COPY of the foregoing mailed first-class
15 this 4th day of May, 2016, to:

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